IN THE HIGH COURT OF BOMBAY AT GOA

APPLICATION FOR APPOINTMENT OF ARBITRATOR NO. 16 OF 2004

Shri Sahajanand Investments
Pvt. Ltd. a company duly
incorporated under the Indian
Companies Act, 1956 having its
registered office at 9, Diamond
Chambers, Panaji, Goa acting through
its Director, Shri Rasiklal Mohanlal
Gangani, s/o late Shri Mohanlal
Raja Gangani, married, Indian
citizen, major of age, Civil Engineer
and Contractor, r/o Panaji, Goa. ...Applicant

Versus

1. Smt. Vinanti Ratnakar
Gaunkar, major of age, wife of
Shri Ratnakar Gaunkar, married
in service, Indian National, r/o
Gurudatta Bldg., 3rd Floor, Dr.
Dada Vaidya Road, Panaji, Goa, and

2. M/s. Landscape Developers, a
partnership firm registered under
Indian Partnership Act having its
office at Sea View, Campal, Panaji,
Goa, represented by its partner,
Mr. Dinar Tarcar, s/o Mr. P. M.
Tarcar, major in age, married, businessman,
Indian National, r/o Betim, Bardez, Goa. ...Respondents.

Mr. R. B. D'Sa, for the applicant.

Mr. S. Vahidulla, for respondent no.1.

Ms. F. Fernandes, for respondent no.2.

CORAM: A. P. LAVANDE, J.

DATE : 27th April, 2005.

ORAL ORDER

This is an application under Section 11 of the Arbitration and Conciliation Act, 1996,. The applicant and the respondents entered into an Agreement dated 11th September, 2001. Clause 25 of the said Agreements reads as under:-

> Clause 25: All disputes which may arise between the parties to this agreement, whether in relation to the interpretation of the clauses and conditions of this agreement, and/or about the performance of these presents or concerning any act of omission or commission of the other party to the disputes, or to any act which ought to be done by the parties, or, to any act which ought to be done by the parties in dispute or, in relation to any matter whatsoever concerning this agreement shall be referred to arbitration in accordance with the provisions of Indian Arbitration and Conciliation Act, 1997."

2. The applicant prays that an Arbitrator be appointed by this Court in respect of the disputes that have arisen between the parties. In view of Clause 25 of the said Agreement, I appoint Mr. Alvarao Noronha de Ferreria, Retired District Judge,

Miramar Panaji, Goa, as the Arbitrator in respect of the disputes that have arisen between the parties. The applicant to deposit processing fees of Rs.3,000/- within a period of two weeks from today.

4. The application stands disposed of.

A. P. LAVANDE, J.

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